

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KENNETH JERMAINE ELLIS,)
Petitioner,)
v.) 1:24CV371
R. VAN GORDER,)
Respondent.)

ORDER

On January 13, 2025, the United States Magistrate Judge's Memorandum Opinion and Recommendation was filed and notice was served on the parties in accordance with 28 U.S.C. § 636(b). Petitioner Kenneth Jermaine Ellis timely filed objections to the Recommendation. (Doc. 12.)

The court has reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that Respondent's Motion for Summary Judgment (Doc. 5) is GRANTED, that the Petition (Doc. 1) is DENIED, and that Judgment be entered dismissing this action. Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is not issued.

/s/ Thomas D. Schroeder
United States District Judge

March 28, 2025